

EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GENENTECH, INC,

No C 03-1603 VRW

Plaintiff,

ORDER

v

TRUSTEES OF COLUMBIA UNIVERSITY

OF THE CITY OF NEW YORK,

Defendant.

The court has received letters from the parties. Doc
16-17. Defendant has also filed a notice with the court of
its motion with the Judicial Panel on Multidistrict Litigation
("JPML") to transfer a number of cases to this court for
consolidated pretrial proceedings under 28 USC § 1407. Doc
20.

The court finds it appropriate to stay discovery in
this case for such time as the JPML has pending motions
regarding this litigation. See Mediterranean Enterprises, Inc v
Syangyoung Corp, 708 F2d 1458, 1465 (9th Cir 1983) (holding that

1 a "trial court may, with propriety, find it is efficient for its
2 own docket and the fairest course for the parties to enter a
3 stay of an action before it, pending resolution of independent
4 proceedings which bear upon the case").

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6 IT IS SO ORDERED.

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8 Date: 12/2/2003

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10 VAUGHN R WALKER

11 United States District Judge
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United States District Court

For the Northern District of California